

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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CYNTHIA BINGHAM,  
Plaintiff,

v.

LANCASTER COUNTY, *et al.*,  
Defendants.

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Civil No. 5:22-cv-02769-JMG

**ORDER**

**AND NOW**, this 2<sup>nd</sup> day of January, 2024, upon consideration of Defendants Jones, Klinger, Snodderly, and Lancaster County’s (“Lancaster Defendants”) Motion for Summary Judgment (ECF No. 56), Plaintiff’s Response to Lancaster Defendants (ECF No. 69), Lancaster Defendants’ Reply (ECF No.s 75-1, 77), Plaintiff’s Surreply (ECF No. 85), Defendants Birriel, Grimm, Cattell, and PrimeCare’s (“PrimeCare Defendants”) Motion for Summary Judgment (ECF No. 49), Plaintiff’s Response to PrimeCare Defendants (ECF No. 66), the parties’ undisputed facts (ECF No.s 50, 55, 67, 68, 75-2, 78, and any exhibits attaches or referenced thereto,

**IT IS HEREBY ORDERED** that the Lancaster Defendants’ Motion for Summary Judgment (ECF No. 56) is **GRANTED**.

**IT IS FURTHER ORDERED** that the PrimeCare Defendants’ Motion for Summary Judgment (ECF No. 49) is **GRANTED in part** and **DENIED in part**.

- a. Defendants’ Motion is **GRANTED** as to Defendants Birriel and Cattell on Counts I and III.
- b. Defendants’ Motion is **GRANTED** as to Defendant PrimeCare on Counts II and III.
- c. Defendants’ Motion is **DENIED** as to Defendant Grimm on Count I, III, IV (wrongful

death), and V (survival action).

**IT IS FURTHER ORDERED** that the Clerk of Court is **DIRECTED** to **TERMINATE** the case as it pertains to the following defendants: Lancaster County, Sergeant Phillip Klinger, Correctional Officer Marcus Jones, Correctional Officer Marcus Snodderly.

BY THE COURT:

/s/ John M. Gallagher  
JOHN M. GALLAGHER  
United States District Court Judge